

Application No. 09/660,840
Filed: 9/13/00
TC Art Unit: 3739
Confirmation No.: 7821

REMARKS

Claims 24-26, 63 and 64 have been amended to obviate the rejection thereof under 35 U.S.C. 112, second paragraph.

The claims of the application remain rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of the Siegmund, Yoshida and Kurtzer references with dependent claims being rejected in combination of these references with the Woodard, Eastman, Strack, Jones or Kishi references.

Applicants respectfully traverse the rejection of the claims and note the following for consideration. The invention relates primarily to a small diameter endoscope for use in orthopedic imaging and the independent claims have been amended to be directed to this aspect. The reference cited by the Office Action disclosing a small diameter device is Yoshida. The Office Action then seeks to combine known elements for larger diameter devices of standard size with the disclosure of Yoshida. However it would not be obvious to do so as it has not been known how to successfully reduce the diameter of the components needed to provide a suitable image at reasonable cost.

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Yoshida is a simple fiber optic device that does not use a distal lens for magnification, apparently providing a simple contact image (see FIG. 8) for dental or blood vessel applications. There is simply no teaching in Yoshida or the other references to add the features of the larger system in Siegmund or Kurtzer, for example, in a small diameter device. Previously, it was thought that the loss in image size and resolution for small diameter devices would comprise the diagnostic value of small diameter systems. Applicants submit that it would not be obvious to combine the recited features in a small diameter orthopedic imaging device. Reconsideration is respectfully requested.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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